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Atty. Dkt. No. 017346-0173

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Nicholas AYACHE et al

Title: APPARATUS FOR SIMULATING THE DEFORMATION OF MATERIALS, NOTABLY OF SOFT BODY TISSUES

Appl. No.: 10,061,455

Filing Date: 02/04/2002

Examiner: Unassigned

Art Unit: 3731

PETITION UNDER 37 C.F.R. § 1.17(h)

Commissioner for Patents
Box DAC
Washington, D.C. 20231

RECEIVED

JUL 16 2002

OFFICE OF PETITIONS

Attn: OFFICE OF PETITIONS

Sir:

In response to the Notice to File Missing Parts, mailed May 24, 2002, Applicants note that Figure 7 described in the Specification was not omitted from the original nonprovisional application papers. A copy of the application, as filed, including the stamped postcard are enclosed as evidence of such filing. The stamped postcard indicates that three sheets of drawings were filed and received in the U.S. PTO on February 4, 2002. Figure 7 was on the third sheet of drawings. The undersigned makes a practice of reviewing all applications for completeness before signing the transmittal. In addition, the initials on the postcard next to the QR and INSP indicates that this application underwent an internal Quality Review and Inspection, which include a verification that all pages were present when the application was finalized. In view of the above, it is clear that Figure 7 was with the application as originally filed.

Repln: Ref: 07/24/2002 AKELLEY 0008565800
DAH: 130741 Name/Number: 10061455
FC: 704 \$130.00 CR

Also enclosed, as required under 37 C.F.R. 1.17(h), is the Petition Fee of \$130.00. Upon determination that Figure 7 was received, Applicants respectfully request a timely refund of the Petition Fee, since the error appears to be the result of a PTO error.

07/15/2002 TBESHAH1 00000067 10061455

03 FC:122
Adjustment date: 07/24/2002 AKELLEY 130.00 OP
07/15/2002 TBESHAH1 00000067 10061455
03 FC:122 -130.00 OP
002.858092.1

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date July 10, 2002

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22428

PATENT TRADEMARK OFFICE

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By

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UNITED STATES PATENT & TRADEMARK OFFICE
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REQUEST FOR PATENT FEE REFUND											
1 Date of Request: <u>7-22-02</u>		2 Serial/Patent # <u>10/061,455</u>									
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT							
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<input checked="" type="checkbox"/>	Petition	3	7-10-02	\$ 130							
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7 TOTAL AMOUNT OF REFUND			\$ 130								
8 TO BE REFUNDED BY:											
10 REASON:		Treasury Check									
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	Duplicate Payment	9 <table border="1" style="display: inline-table; text-align: center; width: 150px;"><tr><td>1</td><td>9</td><td>--</td><td>0</td><td>7</td><td>4</td><td>1</td></tr></table>			1	9	--	0	7	4	1
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